

C O U N C I L C O M M U N I C A T I O N

TO: THE CITY COUNCIL
FROM: THE CITY MANAGER'S OFFICE

COUNCIL MEETING DATE:
OCTOBER 19, 1988

SUBJECT: APPEAL OF DONALD R. PEARSON, H & M BUILDERS, OF THE PLANNING COMMISSION'S DENIAL
OF THE TENTATIVE SUBDIVISION MAP OF IRIS PLACE, PHASE II

RECOMMENDED ACTION:

That the City Council, by motion action, set for public hearing at the regular meeting of November 2, 1988 the appeal of the Planning Commission's denial of the approval of the Tentative Subdivision Map of Iris Place, Phase II, a 1.0 acre, 6-lot single-family residential development proposed for 1420 Iris Drive (APN 033-040-15) in an area zoned R-1, Single-Family Residential.

At its meeting of Monday, September 26, 1988 the Lodi City Planning Commission denied the approval of the Tentative Subdivision Map of Iris Place, Phase II, a 1.0 acre, 6-lot single-family residential development proposed for 1420 Iris Drive (APN 033-040-15) in an area zoned R-1, Single-Family Residential.

In denying this request the Planning Commission determined:

1. that single-family residences and condominiums on the same private accessway was not appropriate;
2. that the private, dead-end accessway would be congested if it served an additional six single-family units; and
3. that the private accessway already had parking problems because of the way it was constructed.

Section 16.36.010 of the Lodi Municipal Code (i.e. Subdivisions) provides as follows:

"Any interested person adversely affected by any decision of the advisory agency may file a complaint with the City Clerk concerning such decision. Any such complaint shall be filed with the City Clerk within fifteen days after the action which is the subject of the complaint".

Attached, marked Exhibit A, is a copy of a letter dated September 27, 1988 from Community Development Director James B. Schroeder to Mr. Terry Piazza confirming the action of the Planning Commission in this matter. Also attached, marked Exhibit B, is a copy of the letter dated October 6, 1988 appealing the Planning Commission's action.


Alice M. Reimche
City Clerk

AMR:jj

COUNCOM7
TXTA.02D

CITY COUNCIL

JAMES W. PINKERTON, Jr., Mayor

JOHN R. (Randy) SNIDER
Mayor Pro Tempore

DAVID M. HINCHMAN

EVELYN M. OLSON

FRED M. REID

EXHIBIT A

CITY OF LODI

CITY HALL, 221 WEST PINE STREET

CALL BOX 3006

LODI, CALIFORNIA 95241-1910

(209) 334-5634

TELECOPIER: (209) 333-6795

THOMAS A. PETERSON
City Manager

ALICE M. REIMCHE
City Clerk

RECEIVED

606 McNATT
1988 SEP 28 AM 10:18 City Attorney

ALICE M. REIMCHE
CITY CLERK
CITY OF LODI

September 27, 1988

Mr. Terry Piazza
c/o Baumbach and Piazza
Consulting Engineers
323 West Elm Street
Lodi, CA 95240

Dear Terry

RE: Tentative Subdivision Map 88 S 009
Iris Place - Phase II

At its meeting of Monday, September 26, 1988, 1988 the Lodi City Planning Commission denied the request of Donald R. Pearson on behalf of H and M Builders for the approval of the Tentative Subdivision Map of Iris Place, Phase II, a 1.0 acre, 6-lot single-family residential development proposed for 1423 Iris Drive (APN 033-040-15) in an area zoned R-1, Single-Family Residential.

In denying this request the Planning Commission determined:

1. that single-family residences and condominiums on the same private accessway was not appropriate;
2. that the private, dead-end accessway would be congested if it served an additional six single-family units; and
3. that the private accessway already had parking problems because of the way it was constructed.

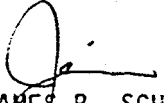
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"Any interested person adversely affected by any decision of the advisory agency may file a complaint with the City Clerk concerning such decision. Any such complaint shall be filed with the City Clerk within fifteen days after the action which is the subject of the complaint."

Terry Piazza
September 27, 1988
Page 2

Your appeal, if any, should be in writing and directed to Alice M. Reimche, City Clerk, Call Box 3006, Lodi, CA 95241-1910, and must be received by her **by** 5:00 p.m., Tuesday, October 11, 1988.

Sincerely,


JAMES B. SCHROEDER
Community Development Director

cc: H and M Builders
Donald R. Pearson
City Clerk

7-11-88

RECEIVED

1988 OCT -6 PM 1:18

October 6, 1988

ALICE M. REIMCKE
CITY CLERK
CITY OF LODI

Alice M. Reimcke, City Clerk
City of Lodi
221 W. Pine Street
Lodi, ca 95241-1010

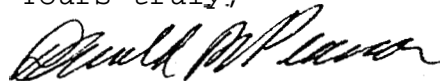
Dear Ms. Reimche:

Regarding the denial of our request for approval of the tentative subdivision map 885009, Iris Place Phase II at the September 26, 1988 meeting of the Lodi City Planning Commission, we wish to file an appeal with the City Clerk for a hearing with the Lodi City Council.

We feel that we did not present a proper rebuttal, at the time of the meeting and, with some modifications this could be an excellent project. The cost of land has become so exhorbitant in Lodi, it is almost impossible for the first time home buyer to own a home. We have no intention of building rentals or "junk" as so stated by the plaintiffs at the September meeting. It was also quoted, at the aforementioned meeting, that the homes surrounding this proposed project were expensive and this project would lower the existing property value. It is our intention to construct quality homes from \$135,000 to \$145,000 compatible with the area.

The questionable driveway access and parking problems regarding the proposed project and the already existing condominiums to the East, can and will be resolved,

Yours truly,

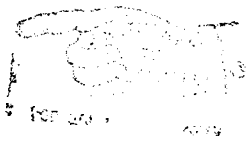


Donald R. Pearson
H & M Builders

DRP/mp

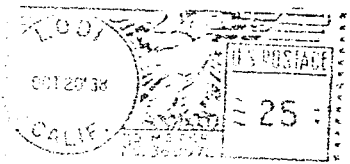
CITY OF LODI

CITY HALL, 221 W. PINE ST.
CALL BOX 3006
LODI, CALIFORNIA 95241-1910



RIE 45 352216N1 10/22/88

RETURN TO SENDER
NO FORWARDING ORDER ON FILE
UNABLE TO FORWARD



Maralyn Rieger
845 Cortez Way
Lodi, CA 95242

10/19/88 F4

NOTICE OF PUBLIC HEARING

TO CONSIDER THE APPEAL OF DONALD R. PEARSON, H & M BUILDERS,
OF THE PLANNING COMMISSION'S DENIAL OF THE APPROVAL OF
THE TENTATIVE SUBDIVISION MAP OF IRIS PLACE, PHASE II,
A 1.0 ACRE, 6-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT
PROPOSED FOR 1420 IRIS DRIVE (APN 033-040-15)
IN AN AREA ZONED R-1, SINGLE-FAMILY RESIDENTIAL

NOTICE IS HEREBY GIVEN that on Wednesday, November 2, 1988 at the hour of 7:30 pm., or as soon thereafter as the matter may be heard, the Lodi City Council will conduct a public hearing to consider the appeal of Donald R. Pearson, H & M Builders, of the Planning Commission's denial of the approval of the Tentative Subdivision Map of Iris Place, Phase II, a 1.0 acre, 6-lot single-family residential development, proposed for 1420 Iris Drive (APN 033-040-15) in an area zoned R-1, Single-Family Residential.

Information regarding this item may be obtained in the office of the Community Development Director at 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein and oral statements may be made at said hearing.

If you challenge the subject matter in court you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, Lodi, California, at or prior to, the Public Hearing.

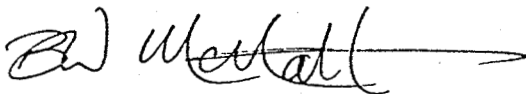
By Order Of the Lodi City Council :



Alice M. Reimche
City Clerk

Dated: October 19, 1988

Approved as to form:



Bobby W. McNatt
City Attorney

PH/04
TXTA.02D